IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 16TH OCTOBER 2007 / 24TH ASWINA 1929

Bail Appl..No. 6223 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.5689/2007
CRMP.4319/2007 of J.M.F.C.,THIRUVALLA
CRIME NO.36 OF 2007 OF MALLAPPALLY EXCISE RANGE

.....

: PETITIONER/1ST ACCUSED

GOPALAKRISHNAN.K.,
S/O.KUNJUCHERUKKAN, CHERUPULATHU HOUSE,
OTHARA EAST, IRAVIPEROOR VILLAGE,
THIRUVALLA TALUK.

BY ADV. SRI.P.V.LONACHAN

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
EXCISE INSPECTOR, MALLAPPALLY,
THROUGH PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6223 of 2007

Dated this the 16th day of October, 2007

ORDER

Second application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was arrested and remains in custody from 24.08.07. An earlier application filed by him was dismissed by this Court as per order dated 19.09.07 in B.A.5689 of 2007. I have adverted to facts in detail in the said order. I am hence not adverting to facts in further detail in this order. This order must be read in continuation of the said order.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is granted the full complement of 60 days to complete the investigation and I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 23.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees One lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 3 months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-